

AMENDED IN ASSEMBLY MAY 5, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

Assembly Concurrent Resolution

No. 112

Introduced by Assembly Member Hadley

January 7, 2016

Assembly Concurrent Resolution No. 112—Relative to the State Air Resources Board.

LEGISLATIVE COUNSEL’S DIGEST

ACR 112, as amended, Hadley. State Air Resources Board.

This measure would thank the State Air Resources Board for its exemplary work and tenacity in uncovering the emissions control defeat devices on certain diesel-fueled Volkswagen motor vehicles *and would express the Legislature’s support for specified future emissions test-related actions by the board.*

Fiscal committee: no.

1 WHEREAS, The Legislature established the State Air Resources
2 Board in 1967 to attain and maintain healthy air quality; and
3 WHEREAS, ~~A May 2014 study by researchers at West Virginia~~
4 ~~University, done in collaboration with the International Council~~
5 ~~on Clean Transportation, discovered~~ *In 2012, the State Air*
6 *Resources Board initiated a testing campaign focused on light-duty*
7 *diesel vehicles and agreed to provide in-kind support to the*
8 *International Council on Clean Transportation and to West*
9 *Virginia University for their light-duty diesel vehicle studies, which*
10 *led to the discovery that two Volkswagen diesel-fueled motor*
11 *vehicles emitted significantly higher levels of* ~~nitrogen oxides~~

1 *oxides of nitrogen* in onroad tests than in standard emissions tests;
2 and

3 WHEREAS, ~~Nitrogen oxide emissions~~ *Emissions of oxides of*
4 *nitrogen* have been linked to ~~smog~~ *ozone formation, smog,* and
5 acid rain; and

6 WHEREAS, The concerns raised by the study prompted the
7 State Air Resources Board to open an investigation and discussions
8 with Volkswagen Group of America (Volkswagen) in 2014; and

9 WHEREAS, In December 2014, Volkswagen issued a voluntary
10 recall in the United States of ~~all some~~ of its diesel-fueled motor
11 vehicles from model years 2009 to 2014 after conducting its own
12 tests and identifying a recalibration ~~fix~~; *fix that Volkswagen*
13 *claimed would address excess emissions*; and

14 WHEREAS, The State Air Resources Board, in cooperation
15 with the United States Environmental Protection Agency, ~~said it~~
16 ~~wanted to do confirmatory tests of the tests Volkswagen ran in~~
17 ~~2014, and the State Air Resources Board did so in May~~ *conducted*
18 *confirmatory testing in 2015*; and

19 WHEREAS, The State Air Resources Board notified
20 Volkswagen in July 2015 that the test vehicles, despite having
21 completed the recalibration fix under the voluntary recall, still
22 showed emissions that exceeded state and federal ~~limits~~, and the
23 ~~State Air Resources Board deemed the initial recall ineffective~~;
24 *limits*; and

25 WHEREAS, In September 2015, the United States
26 Environmental Protection Agency and the State Air Resources
27 Board demanded an explanation from Volkswagen and were
28 prepared to withhold certification that Volkswagen's 2016
29 diesel-fueled motor vehicles complied with applicable emissions
30 standards; and

31 WHEREAS, Volkswagen *then* admitted defeat devices were
32 installed on the emissions control equipment on certain
33 Volkswagen diesel-fueled motor vehicles; now, therefore, be it

34 *Resolved by the Assembly of the State of California, the Senate*
35 *thereof concurring*, That the Legislature acknowledges and praises
36 the State Air Resources Board for its unwavering diligence and
37 dedication to preserving the air quality in the state and its exposure
38 of Volkswagen's circumvention of emissions standards on certain
39 diesel-fueled motor vehicles; and be it further

1 *Resolved*, That the Legislature thanks the State Air Resources
2 Board for its exemplary work and tenacity in uncovering
3 Volkswagen’s emissions control defeat devices; and be it further

4 RESOLVED, *That the Legislature supports the State Air*
5 *Resources Board increasing the use of real-world emissions*
6 *verification testing; and be it further*

7 RESOLVED, *That the Legislature supports the State Air*
8 *Resources Board enhancing its penalty authority for cheating*
9 *emissions tests to deter future efforts to circumvent emissions*
10 *standards; and be it further*

11 *Resolved*, That the Chief Clerk of the Assembly transmit
12 sufficient copies of this resolution to the author for appropriate
13 distribution.